

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Patrick Billig (Reg No. 38,080) on April 27, 2009.
3. The claims have been amended as follows:
  - a. Claim 1: replace claim 1 with the following:
    1. A mobile services network comprising:
      - a mobile electronic device;
      - a management server;
      - an update package repository; and
      - a generator for generating an update package used in updating firmware in the mobile electronic device from a first version to a second version, the update package comprising encoded difference information and a shift region list that identifies at least one region of the first version of firmware and an associated offset, wherein the first version is modified to correspond with the shift region list in the update package, the encoded difference information is generated to comprise the differences between the second version and the modified first version, and the shift region list is generated by:
        - identifying shift points within each module of the firmware, the shift points defining shift regions;
        - creating a first shift region list;
        - modifying a first shift region list to include external shifts; and

creating a second shift region list.

b. Claim 3, line 1, delete “2” and insert -- 1 --.

c. Claim 15: replace claim 15 with the following:

15. A method for generating an update package using a first version and a second version of firmware in a mobile services network, the method comprising:

creating a module map identifying one or more modules in the first version of firmware and corresponding modules in the second version of firmware, wherein each module comprises a region of firmware;

creating a shift region list that identifies at least one region of the first version of firmware and an associated address adjustment, wherein creating the shift region list comprises:

identifying shift points within each module of the firmware, wherein the shift points define shift regions;

creating a first shift region list;

modifying a first shift region list to include external shifts; and

creating a second shift region list;

generating encoded difference information that comprises differences between the first version that is modified to correspond to the shift region list and the second version; and

generating an update package using the encoded difference information and the shift region list.

d. Claim 17 is cancelled.

e. Claim 18, line 1, delete “17” and insert -- 15 --.

- f. Claim 19, line 1, delete “17” and insert -- 15 --.

***Reasons for Allowance***

4. The following is an examiner’s statement of reasons for allowance: the prior art of record fails to teach or suggest the claimed invention. Specifically, the prior art of record fails to teach or suggest a creating a shift region list by: identifying shift points within each module of the firmware, wherein the shift points define shift regions; creating a first shift region list; modifying a first shift region list to include external shifts; and creating a second shift region list.

5. The prior art of record, O’Neill teaches a method of generating an update package using a first version and a second version of firmware in a mobile services network, the update package comprising encoded difference information and a shift region list that identifies at least one region of the first version of firmware and an associated offset, wherein the first version is modified to correspond with the shift list in the update package, and the encoded difference information is generated to comprise the difference between the second and the modified first version. However, O’Neill fails to teach the independent claim as recited where the shift region list is created by: identifying shift points within each module of the firmware, wherein the shift points define shift regions; creating a first shift region list; modifying a first shift region list to include external shifts; and creating a second shift region list.

6. Any comment considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jue S. Wang whose telephone number is (571) 270-1655. The examiner can normally be reached on M-Th 7:30 am - 5:00pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lewis Bullock can be reached on 571-272-3759. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lewis A. Bullock, Jr./  
Supervisory Patent Examiner, Art Unit 2193

/Jue S Wang/  
Examiner, Art Unit 2193